

SEA 10023

REMARKS

This amendment is submitted in response to the Office Action dated November 25, 2003. Reconsideration and allowance of the claims is requested for the reasons presented below.

OBJECTIONS TO THE DRAWINGS

The Drawings stand objected to for informalities. In response, the Applicants have amended the Drawings in order to more clearly illustrate aspects of the present invention.

In particular, FIG. 1 has been amended to delete the reference numerals 134, 140, 142, 150 and 160. Additionally, FIG. 3 has been amended to delete three lead lines illustrated on the right-hand side of the figure. Thus, the Applicants submit that the Drawings are in acceptable form. Accordingly, the Applicants respectfully request that the objection to the Drawings be withdrawn.

CLAIM REJECTIONS**A. 35 U.S.C. §112****Claims 8 and 17**

Claims 8 and 17 stand rejected under 35 U.S.C. §112. Specifically, the Examiner alleges that since no function is specified by the words preceding the word "means", that it is impossible to determine the equivalents of the means element. In response, the Applicants have amended claims 8 and 17 to more clearly recite aspects of the present invention.

In particular, claims 8 and 17 have been amended to recite a "means for capturing stray magnetic flux," replacing "means formed of a magnetic material to capture any stray magnetic flux".

In light of the foregoing amendments, the Applicants respectfully submit that claims 8 and 17, as amended, are allowable under 35 U.S.C. §112. Accordingly, the Applicants respectfully request that the rejection of claims 8 and 17 be withdrawn.

SEA 10023

B. 35 U.S.C. §103**Claims 1-18****1. Claims 1-7**

Claims 1-7 stand rejected under 35 U.S.C. §103(a) as being unpatentable over the Applicant's Admitted Prior Art in view of United States Patent No. 5,659,216, issued August 19, 1997 to *Bisantz* (hereinafter referred to as "*Bisantz*"). In response, the Applicants have amended independent claim 1, from which claims 2-17 depend, to more clearly recite aspects of the present invention.

The Admitted Prior Art and *Bisantz* do not, individually or in combination, teach, show or suggest all of the limitations of independent claim 1. Specifically, neither the Admitted Prior Art nor *Bisantz* teaches, shows or suggests a spindle motor including a hub supporting a motor magnet affixed to a back iron disposed radially adjacent to stator coils, the back iron supporting a flux shield extending substantially across the entire width of the motor magnet and intervening between the motor magnet and a base of the motor, the flux shield being formed of a magnetic material for capturing stray magnetic flux from the motor magnet, as recited by independent claim 1 as amended.

Furthermore, there is no suggestion or motivation to combine the Admitted Prior Art and *Bisantz* in a manner that would teach, show or suggest the claimed invention. *Bisantz* teaches a cup in which a rotor is contained. Segmented magnets for engaging a stator are affixed, for example by adhesive material, to an inner circumference of the cup (See *Bisantz*, column 3, lines 60-65). The cup is formed of a light gage ferromagnetic material, in order to stably support the segmented magnets so that neither the cup nor the magnets break at high rotational speeds. (See *Bisantz*, column 1, lines 49-53). Thus, the cup provides a rigid support surface for the motor magnets, in order to prevent structural damage (*i.e.*, breakage) to the magnets without significantly increasing motor size or weight. *Bisantz* does not teach that the cup captures stray magnetic flux from the magnets. One seeking to devise a system to absorb stray magnetic flux in order to reduce drag on the motor magnet would not logically look to a device that prevents structural damage to the magnet(s).

Thus, independent claim 1, as amended, and claims 2-7 that depend therefrom, are patentable over the Admitted Prior Art in view of *Bisantz*. Accordingly, the Applicant respectfully requests that the rejection of amended claim 1, and claims 2-7 be withdrawn.

SEA 10023

2. Claim 8

Claim 8 stands rejected under 35 U.S.C. §103(a) as being unpatentable over the Applicant's Admitted Prior Art in view of *Bisantz*. In response, the Applicants have amended independent claim 8 in order to more clearly recite aspects of the present invention.

The Admitted Prior Art and *Bisantz* do not, individually or in combination, teach, show or suggest all of the limitations of claim 8. Specifically, neither the Prior Art nor *Bisantz* teaches, shows or suggests a spindle motor for a disc drive including a hub supporting a motor magnet affixed to a back iron disposed radially adjacent to stator coils, and means for capturing stray magnetic flux from the motor magnet, said means being supported from the back iron, as recited by independent claim 8 as amended. Furthermore, as discussed above, there is no suggestion or motivation to combine the Admitted Prior Art and *Bisantz* in a manner that would teach, show or suggest the claimed invention.

Thus, independent claim 8, as amended, is patentable over the Admitted Prior Art in view of *Bisantz*. Accordingly, the Applicant respectfully requests that the rejection of amended claim 8 be withdrawn.

3. Claims 9-15

Claims 9-15 stand rejected under 35 U.S.C. §103(a) as being unpatentable over the Applicant's Admitted Prior Art in view of *Bisantz*. The Applicants respectfully disagree.

The Admitted Prior Art and *Bisantz* do not, individually or in combination, teach, show or suggest all of the limitations of independent claim 9. Specifically, neither the Prior Art nor *Bisantz* teaches, shows or suggests a spindle motor including a hub supporting a motor magnet affixed to a back iron disposed radially adjacent to stator coils and rotating over a base, the back iron further supporting a flux shield extending substantially across the entire width of the motor magnet and intervening between the motor magnet and the base and rotating with the motor magnet, the flux shield being formed of a magnetic material for capturing stray magnetic flux from the motor magnet, as recited by independent claim 9 as amended. Furthermore, as discussed above, there is no suggestion or motivation to combine the Admitted Prior Art and *Bisantz* in a manner that would teach, show or suggest the claimed invention.

SEA 10023

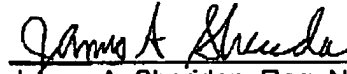
Thus, independent claim 9, as amended, and claims 2-7 that depend therefrom, are patentable over the Admitted Prior Art in view of *Bisantz*. Accordingly, the Applicant respectfully requests that the rejection of amended claim 9, and claims 10-15 be withdrawn.

CONCLUSION

The Applicants submit that all claims now pending are in condition for allowance. Accordingly, both reconsideration of this application and swift passage to issue are earnestly solicited. If any matters can be handled by telephone, Applicants request that the Examiner telephone Applicants' attorney at the number below.

The Commissioner is authorized to charge any additional fees to Deposit Account No. 20-0782 (Order No. SEA 10023).

Respectfully submitted,



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